

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE VOLKSWAGEN TIMING CHAIN
PRODUCT LIABILITY LITIGATION

Civil Action No.: 16-2765 (JLL)

ORDER

This matter comes before the Court by way of Defendant Volkswagen Group of America, Inc.'s Motion to Dismiss Plaintiff's First Amended Complaint and Compel Arbitration pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (ECF No. 36). For the reasons set forth in the Court's corresponding Opinion,

IT IS on this 8th day of May, 2017,

ORDERED that Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 36) is hereby GRANTED in part and DENIED in part; and it is further

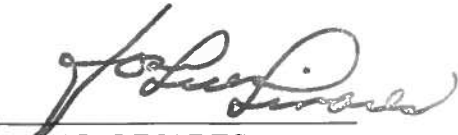
ORDERED that Defendant's Motion to Dismiss Count II (Breach of Contract), Count III (Negligent Misrepresentation) *only as to the Arkansas Plaintiffs*, and Count XXX (Violation of the Ohio Sales Practices Act) as to the Ohio Sub-Class is hereby GRANTED; and it is further

ORDERED that Count II (Breach of Contract), Count III (Negligent Misrepresentation) *only as to the Arkansas Plaintiffs*, and Count XXX (Violation of the Ohio Sales Practices Act) as to the Ohio Sub-Class are hereby DISMISSED; and it is further

ORDERED that the Ohio Sub-Class may submit an amended pleading addressing the deficiencies identified in the corresponding Opinion; and it is further

ORDERED that the remainder of Defendant's Motion to Dismiss is hereby DENIED.

SO ORDERED.



JOSE L. LINARES
UNITED STATES DISTRICT JUDGE